

COUNTY of SAN LUIS OBISPO

PRIMARY ELECTION JUNE 6, 2006

CANDIDATE INFORMATION BOOKLET County Central Committees & County Councils

VOTE



PREPARED BY:

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!!ATTENTION CANDIDATES!!

THE COUNTY CLERK-RECORDER=S OFFICE WOULD LIKE TO MAKE CANDIDATE FILING MORE EFFICIENT AND LESS HECTIC BY SETTING UP APPOINTMENTS FOR CANDIDATES TO FILE THEIR NOMINATION PAPERS.

PLEASE CALL 781-5228 TO SET UP YOUR APPOINTMENT. AT THAT TIME, WE WILL ASK YOU SOME QUESTIONS REGARDING YOUR CANDIDACY SO MOST OF YOUR PAPERWORK WILL BE COMPLETED WHEN YOU ARRIVE.

THANK YOU!

JUNE 6, 2006 PRIMARY ELECTION IMPORTANT DATES FOR CENTRAL COMMITTEE CANDIDATES

CVENT

DATE

DATE	<u>EVENI</u>		
Feb 13* – Mar 10, 2006	Nomination Period - Please call the Elections Division at 781-5228 to make an appointment.		
Jan 31, 2006	Filing Deadline - Semi-Annual Campaign Statement (for those candidates with existing committees)		
Mar 22, 2006	Filing Deadline - Pre-Election Campaign Statement		
May 8, 2006	29 Day Close of Registration - First day Absentee Ballots are available		
May 22, 2006	15 Day Close of Registration - Voters registering between May 8^{th} and 22^{nd} will receive notification of their polling place, but will not receive any other voter information.		
May 25, 2006	Filing Deadline - Pre-Election Campaign Statement		
May 30, 2006	Last day to mail Absentee Ballots to voters		
JUNE 6, 2006	ELECTION DAY, Polls open at 7:00 a.m., close at 8:00 p.m.		
July 31, 20036	Filing Deadline - Semi-Annual Campaign Statement		

^{*} Date falls on a Holiday – opening of nomination period moves to the next business day.

CENTRAL COMMITTEE & COUNTY COUNCIL CANDIDATES TO BE ELECTED AT THE JUNE 6, 2006 PRIMARY ELECTION

GENERAL QUALIFICATIONS - Elections Code '201,7209,7407,7654,8001,8068,8101

- 1. The candidate must be registered with the party whose nomination he/she seeks for not less than three months prior to the time the declaration of candidacy is completed, or for as long as he/she has been eligible to vote in the state. **AND**
- 2. The candidate has not been registered as affiliated with a qualified political party other than the party whose nomination he/she seeks within twelve months immediately prior to the filing of the declaration of candidacy.

OFFICE NUMBER ELECTED FROM EACH Total SUPERVISORIAL DISTRICT Members: 22 Elections Code '7200		NUMBER OF SIGNATURES TO QUALIFY AS A CANDIDATE
DEN	IOCRATIC PARTY	Candidates for Democratic County Central Committee must secure 20 to
District #1	3	40 signatures - 20 must be valid and no
District #2	6	more than 40 may be submitted. Elections Code '8062(a3).
District #3	5	Signers MUST be registered with the
District #4	4	candidate=s party and MUST live in the
District #5	4	candidate=s supervisorial district. Elections Code '8068

OFFICE Total SUPERVISORIAL DISTRICT Elections Code '7400		NUMBER OF SIGNATURES TO QUALIFY AS A CANDIDATE
REP	UBLICAN PARTY	Candidates for Republican County Central Committee must secure 20 to
District #1	5	40 signatures - 20 must be valid and no
District #2	4	more than 40 may be submitted. Elections Code '8062(a3).
District #3	4	Signers MUST be registered with the
District #4	5	candidate=s party and MUST live in the
District #5	4	candidate=s supervisorial district. Elections Code [,] 8068.

Members of the central committee take office at the first meeting in either December or January per EC 7441 (b).

CENTRAL COMMITTEE & COUNTY COUNCIL CANDIDATES TO BE ELECTED AT THE JUNE 6, 2006 PRIMARY ELECTION

OFFICE Total Members: 25	NUMBER ELECTED FROM EACH SUPERVISORIAL DISTRICT Elections Code '7650	NUMBER OF SIGNATURES TO QUALIFY AS A CANDIDATE
AMERICAN	INDEPENDENT PARTY	Candidates for American Independent County Central Committee must secure
District #1	5	20 to 40 signatures - 20 must be valid
District #2	5	and no more than 40 may be submitted. Elections Code '8062(a3).
District #3	5	,
District #4	5	Signers MUST be registered with the candidate=s party and MUST live in the
District #5	5	candidate=s supervisorial district. Elections Code '8068

PARTY	NUMBER ELECTED COUNTY WIDE*	NUMBER OF SIGNATURES TO QUALIFY AS A CANDIDATE*			
Green Party County Council	**7 AT LARGE	Not less than 20 nor more than 30			
Libertarian Party Central Committee	**7 AT LARGE	Not less than 20			
Natural Law Party Central Committee	**5 AT LARGE	Not less than 3			
Peace & Freedom Party	**7 AT LARGE	Not less than 6			
* Per Elections Code '7752, 7753, 7776, 7850					
**Signers MUST be registered with the candidate=s party and live in the county. Elections					

Code '8068

There is **NO FILING FEE** to run for a central committee or county council office. The Candidate=s Statement of Qualifications is not permitted for candidates for central committee or county council office. (Elections Code '8104(a)).

The candidates receiving the highest number of votes (up to the number of members to be elected from each district) in the June Primary will be elected to that party=s County Central Committee or County Council. There is no run-off in the November General Election. (Elections Code '7200-7244; 7400-7444; 7650 -7683; 7750-7782)

CONDITIONS FOR PRINTING THE CANDIDATE=S NAME ON THE BALLOT

Democratic, Republican & American Independent Parties - Elections Code '7227, 7228, 7422, 7423, 7672, 7673

If the elections official, on the 73rd day prior to the Primary Election finds that the number of candidates nominated for election to a committee from a supervisorial district does not exceed the number of candidates to be elected from that supervisorial district, the designation of the office and the names of the candidates shall not be printed on the party=s ballot in the supervisorial district, unless a petition is filed with the elections official no later than 20 days after the close of the nomination period (March 30, 2006) indicating that a write-in campaign will be conducted for the office and signed by 25 registered voters affiliated with that party. Candidates who file nomination papers but will not appear on the ballot will be appointed in lieu of election by the County Board of Supervisors.

Green, Libertarian, Natural Law & Peace & Freedom Parties - Elections Code '7772 In each county the name of each candidate for member of central committee shall appear on the ballot only if he/she has done either of the following:

- 1. Filed a nomination paper signed on the candidate=s behalf by voters in the appropriate district.
- 2. Qualified to have his/her name printed on the Direct Primary Ballot as a candidate for the party nomination to a partisan public office.

If the elections official, on the 73rd day prior to the Primary Election finds that the number of candidates nominated for election to a committee from any election jurisdiction does not exceed the number of candidates to be elected from that election jurisdiction, the designation of the office and the names of the candidates shall not be printed on the party=s ballot in the jurisdiction, unless a petition is filed with the elections official no later than 20 days after the close of the nomination period (March 30, 2006) indicating that a write-in campaign will be conducted for the office and signed by 25 registered voters affiliated with that party. Candidates who file nomination papers but will not appear on the ballot will be appointed in lieu of election by the County Board of Supervisors. Elections Code '7772.1

Within five days after a committee meets for its organizational meeting, the newly elected chairperson of the committee shall notify the county elections official of his/her name. Elections Code '7244, 7444, 7694, 7884

CAN I FILE NOMINATION PAPERS FOR MORE THAN ONE OFFICE AT THE SAME ELECTION?

Yes, with three exceptions:

- 1. **Primary Elections** Elections Code '8003(b) prohibits filing nomination papers in the direct primary for a party nomination and an independent nomination for the same office, or for more than one office at the same election. This prohibition does not apply to a party central committee. (Moore vs. Panish California Supreme Court)
- 2. **School District Elections** Elections Code '10603(c)(d) prohibits a person from filing nomination papers for more than one district office, including a county board of education office, at the same election. Except, if there is a proposal to form a unified school district on the same ballot as the election of governing board members of that district, any candidate for a position on the existing governing board may also file nomination papers for a position on the governing board for the proposed district.
- 3. **District Offices-** Elections Code '10510 prohibits a person from filing nomination papers for more than one district office or term of office for the same district at the same election.

IF I AM ELECTED, CAN I HOLD MORE THAN ONE OFFICE AT THE SAME TIME?

This is a legal question which the County Clerk-Recorder cannot answer. The County Clerk-Recorder cannot refuse to issue nomination papers unless it is prohibited as stated in the first question above. A person=s legal right to hold more than one office at the same time is governed by common law doctrine of incompatible offices. Government Code '1099 was added January 1, 2006 to codify this common law rule. This new section states: a) that an officer shall not simultaneously hold two public offices that are incompatible, as defined, and 2) when two public offices are incompatible, a public officer shall be deemed to have forfeited the first office upon acceding to the second.

There are numerous court cases and attorney general opinions which address specific situations of incompatible offices. There is a list of case cites and copies of several of the opinions in the County Clerk-Recorder=s Office that you may request; however, this is not an exhaustive list of all available information and you are advised to seek legal counsel to determine the incompatibility of the offices.

CAMPAIGN INFORMATION RESOURCES

Fair Political Practices Commission

P.O. Box 807 (95812-0807) 428 J Street, Ste. 450 Sacramento, CA 95814

Phone (866)275-3772/Fax (916)322-3711

Website: http://www.fppc.ca.gov

- * Campaign Disclosure
- * State Contribution Limits
- * Proper Use of Campaign Funds
- * Reporting Enforcement Violations (800) 561-1861

Secretary of State - Elections Division

* Questions relating to the Elections Code (916) 657-2166 P.O. Box 1467 95812-1467 1500 11th Street, Room 495

Sacramento, CA 95814 Phone (916) 653-6224 Fax (916) 653-5045

Website: http://www.ss.ca.gov

- * Committee Identification Numbers
- * Termination of Committees
- * Online/Electronic Filing

CANDIDATE FILING

DECLARATION OF CANDIDACY - Elections Code '8020, 8024, 8028, 8040, 8064, 8800, 8809

ALL CANDIDATES are required to execute and file a Declaration of Candidacy between the dates of **February 13,* 2006** and **March 10, 2006**, in the office of the county elections official. If the candidate is out of the county during the Declaration of Candidacy period and is not able to come into the office of the elections official, the candidate may in a written statement signed and dated by the candidate, designate a person to pick up the Declaration of Candidacy form and deliver it to the candidate. The statement shall include language explaining that the candidate is aware that the Declaration of Candidacy must be properly executed and delivered to the elections official in the county of the candidate=s residence no later than **5:00 p.m., Friday, March 10, 2006.**

There is no extension for Central Committees or County Council candidates. The deadline for filing is 5:00 p.m., Friday, March 10, 2006 (88 days before the election).

No candidate who has filed a Declaration of Candidacy for any primary election may withdraw as a candidate at that primary election.

* Date falls on a Holiday – opening of nomination period moves to the next business day.

NOMINATION PAPERS - Elections Code '7227, 7422, 7672, 8020, 8041, 8060, 8063, 8065-8069, 8081, 8101

A candidate who declares his/her candidacy shall have registered voters affiliated with his/her party sign his/her nomination papers for the number of nomination signatures required for each office (see pages 4-5). The nomination paper shall be delivered to the elections official between the dates of **February 13th* and March 10, 2006**.

The candidate may use circulators for purposes of securing signatures to the candidate=s nomination paper. Circulators shall be registered voters in the district or political subdivision in which the candidate is to be voted on.

No more signers shall be secured on the nomination paper than the maximum number required. If, however, through miscalculation or otherwise, more signers are secured than the maximum number, the candidate shall in writing authorize the elections official to withdraw the excess number. Signers shall not sign the nomination paper of more than one candidate for the same office or for more than the number of offices to be filled.

The elections official shall not accept for filing any nomination paper unless all blanks in the affidavit of circulator are filled. Before any nomination paper is filed in the county election official=s office, the elections official shall verify the signatures of the signers with the affidavits of registration on file in his/her office. Any signature that does not appear to be in the same handwriting as appears on the affidavit of registration or that is registered at a different residence address than what appears on the nomination paper or with a different political party than the candidate shall be marked Anot sufficient@. The elections official may cease to check signatures once the minimum requisite number of signatures have been verified.

WRITE-IN CANDIDATES

Any person who requests to be a write-in candidate and have his/her name as written on the ballot of an election counted for a particular office shall file a Statement of Write-In Candidacy and nomination papers with the requisite number of signatures as required for the office between the dates of **April 10, 2006 and May 23, 2006,** with the elections official. Elections Code '8600-8605

Write-in candidates shall file nomination papers the same as declared candidates. Signers on the nomination papers shall be registered voters in the district or political subdivision in which the candidate is to be voted on. There is no filing fee to be a write-in candidate.

NOTE: In contests with insufficient candidates, a petition indicating a write-in campaign will be conducted for the office must have been filed no later than 20 days after the close of the nomination period (March 30, 2006) pursuant to Elections Code § 7227, 7228, 7422, 7423, 7672, 7673, 7772.1. See page 6.

OCCUPATIONAL BALLOT DESIGNATION REQUIREMENTS

Elections Code Section 13106-13107

Immediately under the name of the candidate, and not separated from the name by any line, may appear at the option of the candidate only ONE of the following designations:

- 1. Words designating the elective city, county, district, state or federal office which the candidate holds at the time of filing the nomination documents to which he/she was elected by a vote of the people, or to which he/she was appointed, in the case of a superior court judge.
- 2. The word **Aincumbente** if the candidate is a candidate for the same office which he/she holds at the time of filing the nomination papers, and was elected to that office by a vote of the people, or, in the case of a superior court judge, was appointed to that office.
- 3. The phrase **Aappointed incumbent@** if the candidate holds an office other than a judicial office by virtue of appointment, and the candidate is a candidate for election to the same office, or, if the candidate is a candidate for election to the same office or to some other office, the word Aappointed@ and the title of the office. In either instance, the candidate may not use the unmodified word Aincumbent@ or any words designating the office unmodified by the word Aappointed@. However, the phrase Aappointed incumbent@ shall not be required of a candidate who seeks re-election to an office which he/she holds and to which he/she was appointed, as a nominated candidate, in-lieu of an election, pursuant to Sections 5326 and 5328 of the Education Code or Section 7228, 7423, 7673, 10229, or 10515 of the Elections Code.
- 4. No more than **three words** designating either the current principal professions, vocations, or occupations of the candidate during the calendar year immediately preceding the filing of nomination documents. For purposes of this section, all California geographical names shall be considered to be one word.

No title or degree shall appear on the same line on a ballot as a candidate=s name, either before or after the candidate=s name.

The elections official shall not accept a designation if any of the following is true:

- It would mislead the voter.
- 2. It would suggest an evaluation of a candidate, such as outstanding, leading, expert, or
- 3. It abbreviates the word Aretired@ or places it following any word or words which it modifies.
- 4. It uses a word or prefix, such as Aformer@ or Aex-@, which means a prior status.
- 5. Use of the word Aretired@ is limited for use by individuals who have permanently given up their chosen principal profession, vocation or occupation.
- 6. Contains commercial identification, such as IBM President.
- 7. It uses the name of any political party, whether or not it has qualified for the ballot.
- 8. It uses a word or words referring to a racial, religious or ethnic group.
- 9. It refers to any activity prohibited by law.

If the elections official rejects a designation the candidate shall be notified and the candidate shall, within three days of receipt of the notice, appear before the elections official or, in the case of the Secretary of State, notify the Secretary of State by telephone, and provide an alternate designation. In the event the candidate fails to provide an alternate designation, **no designation** shall appear under the candidate=s name.

The designation shall not be changed, except as provided above, after the final date for filing nomination papers. The designation shall remain the same for all purposes of both the primary and general elections, unless the candidate, at least 98 days prior to the general election (August 1, 2006), requests in writing a different designation which the candidate is entitled to use at the time of the request.

The designation shall be printed in 8-point roman uppercase and lowercase type except that, if the designation selected is so long that it would conflict with the space requirements, a sufficiently smaller type size shall be used for the designation for each candidate for that office.

The term Aprofession@ means a field of employment requiring special education or skill and requiring specific knowledge of a particular discipline of learning or science. The labor and skill involved in a profession is predominantly mental or intellectual, rather than physical or manual - attorney, physician, accountant, or teacher.

The term Avocation@ means a trade, a religious calling, or the work upon which a person, in most but not all cases, relies for his or her livelihood - minister, plumber, homemaker, or carpenter.

The term Aoccupation@ means the employment in which one regularly engages or follows as the means of making a livelihood - rancher, salesperson, secretary, police officer, or construction worker.

The following types of activities are distinguished from professions, vocations and occupations and **are not acceptable** for ballot designations:

Casual or occasional activity, diversion or hobby pursued principally for enjoyment and in addition to the candidate=s principal profession, vocation or occupation, such as volunteer work or social activities.

Positions held which consume little or no time and which are voluntary or for which the candidate is not compensated, such as honorary sheriff, volunteer firefighter, honorary chairperson, goodwill ambassador or official host or hostess.

A status is a state, condition, social position or legal relation of the candidate to another person, persons or the community as a whole, such as philanthropist, activist, patriot, taxpayer, concerned citizen, husband, wife and the like.

PRE-CAMPAIGN CANDIDATE INTENTION REQUIREMENTS

Gov. Code '85200 Statement of Intention to be a Candidate. (FPPC form 501)

Prior to the solicitation or receipt of any contribution or loan, an individual who intends to be a candidate for an elective state office, pursuant to Section '82024, shall file with the Secretary of State an original statement, signed under penalty of perjury, of intention to be a candidate for a specific office.

An individual who intends to be a candidate for any other elective office shall file the statement of intention with the same filing officer and in the same location as the individual would file an original campaign statement pursuant to subdivisions(c), (d), and (e) of Section '84215.

For purposes of this section, Acontribution@ and Aloan@ do not include any payments from the candidate=s personal fund for a candidate filing fee or a candidate statement of qualifications fee.

Gov. Code '85201 Campaign Bank Account

- (a) Upon the filing of the statement of intention pursuant to Section '85200, the individual shall establish one campaign contribution account at an office of a financial institution located in the state.
- (b) As required by subdivision (f) of Section '84102, a candidate who raises contributions of one thousand dollars (\$1,000) or more in a calendar year shall set forth the name and address of the financial institution where the candidate has established a campaign contribution account and the account number on the committee statement of organization filed pursuant to Sections '84101 and '84103.
- (c) All contributions or loans made to the candidate, to a person on behalf of the candidate, or to the candidate=s controlled committee shall be deposited in the account.
- (d) Any personal funds which will be utilized to promote the election of the candidate shall be deposited in the account prior to expenditure.
- (e) All campaign expenditures shall be made from the account.
- (f) Subdivisions (d) and (e) do not apply to a candidate=s payment for a filing fee and statement of qualifications from his or her personal funds.
- (g) This section does not apply to a candidate who will not receive contributions and who makes expenditures from personal funds of less than one thousand dollars (\$1,000) in a calendar year to support his or her candidacy. For purposes of this section, a candidate=s payment for a filing fee and statement of qualifications shall not be included in calculating the total expenditures made.
- (h) An individual who raises contributions from others for his or her campaign but who raises or spends less than one thousand dollars (\$1,000) in a calendar year, and does not qualify as a committee under Section '82013, shall establish a campaign contribution account pursuant to subdivision (a), but is not required to file a committee statement of organization pursuant to Section '84101 or other statement of bank account information.

FAIR POLITICAL PRACTICES COMMISSION CAMPAIGN DISCLOSURE STATEMENTS

All state and local elected officeholders, candidates for state and local elected offices, and their controlled committees are **required** to file campaign disclosure statements including candidates that choose not to receive contributions or make expenditures for their campaign. This requirement pertains to the Political Reform Act that was adopted by voter initiative in 1974 and has been periodically amended by legislation and initiatives. The disclosure reports provide the public with the identity of contributors and the amounts contributed along with the amount officeholders, candidates, and committees spend.

Failure to file complete and accurate statements and reports in compliance with the Act can result in substantial criminal, civil, and administrative penalties. In addition, failure to file within the prescribed deadlines can lead to late filing penalties of \$10 for each day the statement is late. The law does not allow for extensions of due dates for the filing of campaign statements.

For information or questions, you may call the County Clerk-Recorder=s Office at 781-5228 or the Fair Political Practices Commission toll free at 866-275-3772. All manuals and forms are available in the County Clerk-Recorder Elections Division or on line at the FPPC Website: www.fppc.ca.gov

NOTE:

Do not rely on this information alone to ensure compliance with the FPPC regulations. Both the Political Reform Act, as amended to January 1, 2001, Addendum and the Commission=s campaign disclosure manuals should be used to supplement any information in this candidate=s manual.

State and County Central Committees (Political Party Committees)

June 6, 2006 Election Filing Schedule

Filing Deadline	Type of Statement	Period Covered by Statement1/	Method of Delivery
January 31, 2006	Semi-Annual	1/- 12/31/05	Personal Delivery2/First Class Mail
Within 24 Hours	Special Online Independent Expenditure Reports/	3/8/06 - 6/6/06	Online or Electronically with Secretary of State
March 22, 2006	Pre-Election4/	1/1/06 – 3/17/06	Personal DeliveryFirst Class Mail
Within 48 Hours	Issue Advocacy Disclosure Statements/	4/22/06 - 6/5/06	Online or Electronically with Secretary of State
May 25, 2006	Pre-Election4/	3/18/06 - 5/20/06	Personal DeliveryFirst Class Mail
Within 24 Hours	Late Contributions or Independent Expenditures of \$1,000 or More ₆ /	5/21/06 - 6/5/06	Personal DeliveryGuaranteed Overnight ServiceFax
July 31, 2006	Semi-Annual	1/- 6/30/06	Personal DeliveryFirst Class Mail

Footnotes:

- The period covered by any statement begins on the day after the closing date of the last statement filed, or January 1, if no previous statement has been filed.
- In addition to paper reports, a committee must file electronically with the Secretary of State if, since January 1, 2000, the committee receives contributions or makes expenditures totaling \$50,000 or more. For more information, visit the Secretary of State's web site at www.ss.ca.gov.
- 3/ Committees required to file electronically (see footnote 2) must file this report if an independent expenditure of \$1,000 or more is made during the period March 8, 2006, through June 6, 2006, in connection with a state candidate or a state ballot measure being voted on June 6, 2006. No paper copy is required and no copies are required to be filed with local filing officers, including during the late reporting period.
- File the March 22 and May 25 pre-election statements if contributions of \$1,000 or more are received or contributions or independent expenditures totaling \$500 or more are made during the period covered by the statement.

- A committee that makes a payment or a promise of payment of \$50,000 or more for a communication that clearly identifies a state candidate being voted on June 6, but does not expressly advocate the election or defeat of the candidate, must file Form E530 electronically with the Secretary of State. The report must be filed within 48 hours of making or promising to make the payment. No paper copy is required and no copies are required to be filed with local filing officers.
- 6/ Political party committees that receive a contribution totaling \$1,000 or more, or make a contribution of \$1,000 or more to a candidate or ballot measure committee being voted on June 6, 2006, must file a late contribution report within 24 hours. Committees filing the special online independent expenditure reports (see footnote 3) are not required to file late independent expenditure reports on paper during the late reporting period. Paper filings of late contribution reports are still required, including with local filing officers.

FPPC Toll-Free Helpline: 866-ASK-FPPC 5/05

Additional Notes:

- Except for deadlines that fall on a Saturday, Sunday, or an official state holiday, there is no provision in the law for extending a filing deadline. Late statements are subject to a \$10 per day late fine.
- All statements are public documents.
- State candidates and committees that make contributions to state candidates are subject to contribution limits.
- Payments made for "member communications" by a political party committee (including central committees) must be reported as if the payments were contributions or independent expenditures.

As of the date of this publication (5/05), the 2005 Campaign Manual Addendum contains the most recent information on campaign disclosure requirements. Legislative amendments to the Political Reform Act may go into effect that will change information contained in the 2005 Addendum and this filing schedule. Be sure to check the FPPC web site (www.fppc.ca.gov) for updated information.

PROVISIONS OF THE CODE OF FAIR CAMPAIGN PRACTICES

as found in Chapter 5 of Division 20 of the California Elections Code

Chapter 5. Fair Campaign Practices Article 1. General Intent

20400. Intent of legislature.

The Legislature declares that the purpose of this chapter is to encourage every candidate for public office in this state to subscribe to the Code of Fair Campaign Practices.

It is the ultimate intent of the Legislature that every candidate for public office in this state who subscribes to the Code of Fair Campaign Practices will follow the basic principles of decency, honesty, and fair play in order that, after vigorously contested, but fairly conducted campaigns, the citizens of this state may exercise their constitutional right to vote, free from dishonest and unethical practices which tend to prevent the full and free expression of the will of the voters.

The purpose in creating the Code of Fair Campaign Practices is to give voters guidelines in determining fair play and to encourage candidates to discuss issues instead of untruths or distortions.

Article 2. Definitions(1)

20420. Definition of "Code."

As used in this chapter, "Code" means the Code of Fair Campaign Practices.

Article 3. Code of Fair Campaign Practices

20440. Subscription to code; form.

At the time an individual is issued his or her declaration of candidacy, nomination papers, or any other paper evidencing an intention to be a candidate for public office, the elections official, shall give the individual a blank form of the code and a copy of this chapter. The elections official shall inform each candidate for public office that subscription to the code is voluntary.

In the case of a committee making an independent expenditure as defined in Section 82031 of the Government Code, the Secretary of State shall provide a blank form and a copy of this chapter to the individual filing, in accordance with Title 9 (commencing with Section 81000) of the Government Code, an initial campaign statement on behalf of the committee.

The text of the code shall read, as follows: (see reverse)

20441. Supply of forms.

The Secretary of State shall print, or cause to be printed, blank forms of the code. The Secretary of State shall supply the forms to the elections officials in quantities and at times requested by the elections officials.

20442. Retention of forms; public inspection.

The elections official shall accept, at all times prior to the election, all completed forms that are properly subscribed to by a candidate for public office and shall retain them for public inspection until 30 days after the election.

20443. Public record.

Every code subscribed to by a candidate for public office pursuant to this chapter is a public record open for public inspection.

20444. Voluntary.

In no event shall a candidate for public office be required to subscribe to or endorse the code.

- (1) 304. ACampaign advertising or communication@ means a communication authorized by a candidate or a candidate=s controller committee, as defined in section 82016 of the Government Code, or by a committee making independent expenditures, as defined in Section 82031 of the Government Code, or by a committee formed primarily to support or oppose a ballot measure, as defined in Section 82047.5 of the Government Code, for the purpose of advocating the election or defeat of a qualified candidate through any broadcasting station, newspaper, magazine, outdoor advertising facility, direct mailing, or any other type general, public, political advertising.
- 305. ACandidate for public office@ means an individual who has qualified to have his or her name listed on the ballot of any election, or who has qualified to have written votes on his or behalf counted by election officials, for nomination for or election to, any state, regional, county, municipal, or district office which is filled at an election. The provisions of this chapter do not apply to candidates for federal office.

CODE OF FAIR CAMPAIGN PRACTICES

There are basic principles of decency, honesty, and fair play which every candidate for public office in the State of California has a moral obligation to observe and uphold, in order that after vigorously contested, but fairly conducted campaigns, our citizens may exercise their constitutional right to a free and untrammeled choice and the will of the people may be fully and clearly expressed on the issues.

THEREFORE:

- (1) **I SHALL CONDUCT** my campaign openly and publicly, discussing the issues as I see them, presenting my record and policies with sincerity and frankness, and criticizing without fear or favor the record and policies of my opponents or political parties which merit such criticism.
- (2) **I SHALL NOT USE OR PERMIT** the use of character defamation, whispering campaigns, libel, slander, or scurrilous attacks on any candidate or his or her personal or family life.
- (3) I SHALL NOT USE OR PERMIT any appeal to negative prejudice based on race, sex, religion, national origin, physical health status, or age.
- (4) I SHALL NOT USE OR PERMIT any dishonest or unethical practice which tends to corrupt or undermine our American system of free elections, or which hampers or prevents the full and free expression of the will of the voters including acts intended to hinder or prevent any eligible person from registering to vote, enrolling to vote, or voting.
- (5) I SHALL NOT coerce election help or campaign contributions for myself or for any other candidate from my employees.
- (6) I SHALL IMMEDIATELY AND PUBLICLY REPUDIATE support deriving from any individual or group which resorts, on behalf of my candidacy or in opposition to that of my opponent, to the methods and tactics which I condemn. I shall accept responsibility to take firm action against any subordinate who violates any provision of this code or the laws governing elections.
- (7) **I SHALL DEFEND AND UPHOLD** the right of every qualified American voter to full and equal participation in the electoral process.
- I, the undersigned, candidate for election to public office in the State of California or treasurer or chairperson of a committee making any independent expenditures, hereby voluntarily endorse, subscribe to, and solemnly pledge myself to conduct my campaign in accordance with the above principles and practices.

DATE	SIGNATURE
DATE	SIGNATURE
	PLEASE PRINT NAME, OFFICE SOUGHT, AND DATE OF ELECTION

ELECTIONS CODE: PENAL PROVISIONS

Election Code Sections:

'18301 Printing of simulated sample ballots:

In addition to any other penalty, any person who prints or otherwise duplicates, or causes to be printed or duplicated, a simulated ballot or simulated sample ballot which does not contain the statement required by Section '20009 or which uses an official seal or insignia in violation thereof, is guilty of a misdemeanor.

'18303 Mass mailing penal provisions:

Every person who violates the provisions of Section '84305 of the Government Code relating to mass mailing is subject to the penal provisions set forth in Chapter 11 (commencing with Section '91000) of Title 9 of the Government Code.

'18320 Political cyberfraud defined:

- (a) This act shall be known and may be cited as the ACalifornia Political Cyberfraud Abatement Act.@
- (b) It is unlawful for a person, with intent to mislead, deceive, or defraud, to commit an act of political cyberfraud.
- (c) As used in this section:
 - (1) APolitical cyberfraud A means a knowing and willful act concerning a political Web site that is committed with the intent to deny a person access to a political Web site, deny a person the opportunity to register a domain name for a political Web site, or cause a person reasonably to believe that a political Web site has been posted by a person other than the person who posted the Web site, to believe the site actually represents the view of the proponent or opponent of a ballot measure. Political cyberfraud includes, but is not limited to, any of the following acts:
 - (A) Intentionally diverting or redirecting access to a political Web site to another person=s Web site by the use of a similar domain name, meta-tags, or other electronic measures.
 - (B) Intentionally preventing or denying exit from a political Web site by the use of frames, hyperlinks, mouse-trapping, pop-up screens, or other electronic measures.
 - (C) Registering a domain name that is similar to another domain name for political Web site.
 - (D) Intentionally preventing the use of a domain name for a political Web site by registering and holding the domain name or by reselling it to another with the intent of preventing its use, or both.
 - (2) ADomain name@ means any alphanumeric designation that is registered with or assigned by any domain name registrar, domain name registry, or other domain registration authority as part of an electronic address on the internet.
 - (3) APolitical Web site@ means a Web site that urges or appears to urge the support or opposition of a ballot measure.

17526 Business and Professions Code

In determining whether there is a bad faith intent pursuant to Section 17525, a court may consider factors, including, but not limited to, the following:

(j) The intent of a person alleged to be in violation of this article to mislead, deceive, or defraud voters.

17528.5 Business and Professions Code

In addition to any other remedies available under law, a court may order the transfer of a domain name as part of the relief awarded for a violation of this article.

MISREPRESENTATION BY CANDIDATES

'18350 Misleading of voters; incumbency; public officer

Every person is guilty of a misdemeanor who, with intent to mislead the voters in connection with his or her campaign for nomination or election to a public office or in connection with the campaign of another person for nomination or election to a public office, shall do either of the following acts:

- (a) Assume, pretend, or imply, by his or her statements or conduct, that he or she is the incumbent of a public office when that is not the case.
- (b) Assume, pretend, or imply, by his or her statements or conduct, that he or she is or has been acting in the capacity of a public officer when that is not the case.

Any violation of this section may be enjoined in a civil action brought by any candidate for the public office involved.

'18351 False statements in candidate statement; fine.

Any candidate in an election or incumbent in a recall election who knowingly makes a false statement of a material fact in a candidate=s statement, prepared pursuant to Section '13307 or '11327, with the intent to mislead the voters in connection with his or her campaign for nomination or election to a nonpartisan office is punishable by a fine not to exceed on thousand dollars (\$1,000).

ELECTIONEERING

'18370 Electioneering within 100 feet of a polling place.

No person, on election day, or at any time that a voter may be casting a ballot, shall, within 100 feet of a polling place, or an election official=s office:

- (a) Circulate an initiative, referendum, recall, or nomination petition or any other petition.
- (b) Solicit a vote or speak to a voter on the subject of marking his or her ballot.
- (c) Place a sign relating to voters= qualifications or speak to a voter on the subject of his or her qualifications except as provided in Section '14240.
- (d) Do any electioneering.

As used in this section A100 feet of a polling place or an election official=s office@ means a distance of 100 feet from the room or rooms in which voters are signing the roster and casting ballots.

Any person who violates any of the provisions of this section is guilty of a misdemeanor.

'18371 Electioneering during absentee voting.

- (a) No candidate or representative of a candidate, and no proponent, opponent, or representative of a proponent or opponent, of an initiative, referendum, or recall measure, or of a charter amendment, shall solicit the vote of an absentee voter, or do any electioneering, while in the residence or in the immediate presence of the voter, and during the time he or she knows that absentee voter is voting.
- (b) Any person who knowingly violates this section is guilty of a misdemeanor.
- (c) This section shall not be construed to conflict with any provisions of the federal Voting Rights Act of 1965, as amended, nor to preclude electioneering by mail or telephone or in public places, except as prohibited by Section '18370, or by any other provision of law.

CAMPAIGN LITERATURE

'20008 Political advertisement requirements:

Any paid political advertisement which refers to an election or to any candidate for state or local elective office and which is contained in or distributed with a newspaper, shall bear on each surface or page thereof, in type or lettering at least half as large as the type or lettering of the advertisement or in 10-point roman type, whichever is larger, the words APaid Political Advertisement@. Such words shall be set apart from any other printed matter.

As used in this section APaid Political Advertisement@ shall mean and shall be limited to, published statements paid for by advertisers for purposes of supporting or defeating any person who has filed for an elective state or local office.

20009 Simulated ballot requirements:

(a) Every simulated ballot or simulated sample ballot shall bear on each surface or page thereof, in type or lettering at least half as large as the type or lettering of such statement or words or in 10-point roman type, whichever is larger, in a printed or drawn box and set apart from any other printed matter, the following statement:

NOTICE TO VOTERS (Required by Law)
AThis is not an official ballot or an official sample ballot prepared by the county clerk, registrar of voters, or the Secretary of State@. AThis is an unofficial, marked ballot prepared by (insert name and address of the person or organization responsible for preparation thereof).@

Nothing in this section shall be construed to require any such notice in any editorial or other statement appearing in a regularly published newspaper or magazine other than a paid political advertisement.

- (b) No simulated ballot or simulated sample ballot referred to in subdivision (a) shall bear any official seal or the insignia of any public entity, nor shall that seal or insignia appear upon the envelope in which it is mailed or otherwise delivered.
- (c) The Superior Court, in any case brought before it by any registered voter, may issue a temporary or permanent restraining order or injunction against the publication, printing, circulation, posting, or distribution of any matter in violation of this section, and all cases of this nature shall be in a preferred position for purposes of trial and appeal, so as to assure the speedy disposition thereof.

REQUIREMENTS FOR MASS MAILING.

Provided Pursuant To Elections Code Section 116

'84305 Government Code. Requirements for Mass Mailing.

- (a) Except as provided in subdivision (b), no candidate or committee shall send a mass mailing unless the name, street address, and city of the candidate or committee are shown on the outside of each piece of mail in the mass mailing and on at least one of the inserts included within each piece of mail of the mailing in no less than 6-point type which shall be in a color or print which contrasts with the background so as to be easily legible. A post office box may be stated in lieu of a street address if the organization=s address is a matter of public record with the Secretary of State.
- (b) If the sender of the mass mailing is a single candidate or committee, the name, street address, and city of the candidate or committee need only be shown on the outside of each piece of mail.
- (c) If the sender of a mass mailing is a controlled committee, the name of the person controlling the committee shall be included in addition to the information required by subdivision (a).

DISCLAIMER:

The preceding Elections Code sections are provided for your information but are not necessarily all the codes which effect campaigns. Elections Code chapter '18000 outlines the penalties associated with violations of the Elections Code and Chapter '20000 houses the Truth in Endorsement Law. In addition, you are responsible for being familiar with the Fair Political Practices Commission rules and regulations. A copy of the Elections Code and the Government Code are available for your research in the County Law Library and the County Clerk-Recorder=s Office.



COUNTY OF SAN LUIS OBISPO DEPARTMENT OF PLANNING AND BUILDING

To: Candidates for Office

The San Luis Obispo County Code has regulations regarding the placement and size of campaign signs that are placed in the unincorporated areas of the county. We are providing this letter in the candidate=s package with the hopes that you and your staff will advise supporters of the regulations when they provide them with campaign signs.

San Luis Obispo County Code Section 22/23.04.306b exempts political signs from requiring a permit, <u>but only if the following regulations are adhered to:</u>

- 1. In residential land use categories within urban or village area (such as Templeton, Cambria, San Miguel, Los Osos, Huasna, etc...), political signs are not to exceed four square feet total for each site.
- 2. In other land use categories (such as commercial or industrial), within urban or village areas, political signs are not to exceed 16 square feet total for each site.
- 3. In rural areas (outside of village reserve lines), political signs are not to exceed 32 square feet total for each site.
- 4. Signs are not to be posted any earlier than 60 days before the election, and must be removed within 14 days after the election.
- 5. Signs are not to be posted on <u>or adjacent to</u> any utility poles, parking meters, traffic sign posts, traffic signals or other traffic markers, or within the road right-of-way or other public property. These signs may be removed by county staff.

Best wishes in your campaign and if you have any questions, please feel free to call the planning department at 805-781-5600.

CITY REQUIREMENTS

Each incorporated city may have additional requirements for signs placed within the city limits. For more information, contact the city=s Community Development Department or the City Clerk=s Office.

DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY OUTDOOR ADVERTISING BRANCH 1120 N STREET, MAIL STATION 37 P.O. BOX 942874 SACRAMENTO, CA 94274-0001 TDD 1-800-735-2929 FAX 1-916-654-4956 1-916-654-4790

Dear Candidate or Committee Member:

As a candidate or campaign worker for either office or a ballot measure, this reminder about State Law governing campaign signs should be helpful to you.

Section 5405.3 of the State Outdoor Advertising Act authorizes the placing of Atemporary political signs@ separate and apart from the normal outdoor advertising display controls. No such political signs, however, may be placed within the right-of-way of any highway or within 660' of the edge of and visible from the right-of-way of a landscaped freeway.

Temporary political signs are signs, which meet the following criteria:

- A. Encourages a particular vote in a scheduled election.
- B. Is placed not sooner than 90 days prior to the scheduled election and is removed within 10 days after that election.
- C. Is no larger than 32 square feet.
- D. Has had a Statement of Responsibility filed with the Department certifying a person who will be responsible for removing the sign.

A Statement of Responsibility form is attached to this letter.

Please pass this information along to those assisting in your campaign and complete and return the Statement of Responsibility form to the appropriate district office located in your area. We will gladly answer any questions regarding the form.

Because the law directs the Department of Transportation to remove signs that do not comply with the regulations before an election and to bill the responsible party for removal costs after the election, we are calling these provisions to your attention to avoid possible embarrassment to you and your supporters.

Mail Statements of Responsibility to:

Department of Transportation Division of Right of Way 1976 East Charter Way P.O. Box 2048 Stockton CA 95201

DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY PROGRAM OUTDOOR ADVERTISING BRANCH 1120 N. STREET, MS-37 P.O. BOX 942874 SACRAMENTO, CA 94274-0001 TDD 1-800-735-2929

1-916-654-4956

FAX

STATEMENT OF RESPONSIBILITY FOR TEMPORARY POLITICAL SIGNS

Election Date:	March	June	November	Other	
County, in which Elect	ion is Being Held:	San Lu	uis Obispo Count	у	
Candidate=s Name: _					
Office Sought or Propo	osition Number:				
Number of Signs to be	Placed:				
Responsible party=s n	ame:				
Address:					
Phone number: ()					
The undersigned acce candidate (or proposi Business and Professi	tion) as stated belov	r removal ow wand in a	of signs placed i accordance with	n respect to the abo Section 5405.3 of	ove the
It is understood and ag and Professions Code by the Department and submission of invoice	and not removed with d the undersigned he	hin ten (10)) days after the el	ection may be remov	ved
 Date	Signatur	e of Respo	onsible Party		

Aln House@ Computer CD Voter Information:

All CD orders except ones formatted for labels will include all information available from voter master file. See Multipurpose Voter File information on next page.

		dard Selection C			
(recinct(s)			
[District		The sale		
(City		N I		
F	Party All	or 11111	TO A I	DEG	
F	Registration Da	tes: From	LUAL	to	
F	Permanent Abs	entee Voters	185		-8.//
P	Absentee Voter	s: AIDR or Dail	y <u>√</u> or e	nter Date Range_	To
N	oter History:	All elections on	file:	_, or specific elect	tions:
Format	: Delimiters:	TabS	Space	Semicolon	Comma
Labels:	You will have to : Use above crite Household labe	sort the file for a ria for label para Is available in V	a finer so ameters. oter Nar	rt such as zip cod	th or without voter History. e, sex, mailing address, etc dress
Costs:	All orders:	\$25.00 2.00 .504 .054	Per 1	iskette or CD 000 voter records rinted Label	
Total C	ost:				
Candid	ate/Campaign	Name: OR	ISP(), CB	_
Contac	t:				
Phone:					
Applica Prepaid	ation Form on d Account: Ye	File: es No		Balance Availal	ole:

DIMS System Voter Information (in house processes)

Description	Process #	Contents	Fee	
Precinct Walking List: Standard Selection Criteria:	R708.01: Printed in Precinct-Street Name & Number	Name, Residence Address Precinct, Party, Phone #	.504 per 1000 names	
Alpha Voter List: Standard Selection Criteria:	last name		\$23.00 Setup plus .504 per 1000 names	
Labels: Standard Selection Criteria:	R707.23: 3 up Self Adhesive Labels Last name Alpha order	Name, Mailing Address Precinct	\$23.00 Setup plus .054 per label	
Household Labels: Standard Selection Criteria:	R707.23: Same as above but one label per AHousehold@	Name, Mailing Address	\$23.00 Setup plus .054 per label	
Absentee Voter Labels: Standard Selection Criteria:	R707.23: Same as above. Selects Absentee=s Issued by party or Date/Range (Available only during election period)	Name, Mailing Address, Precinct	\$23.00 Setup plus .054 per label	
Voter Master File with or without Voter History on CD: Standard Selection Criteria:*	Voter Export File: Voter Master File & Those who Voted in Previous Elections or a Specified Election	May be ordered back to General Election 2000. Nothing before that date. All voter information included for all voters.	\$23.00 Setup plus 2.00 per Diskette/CD plus .504 per 1000 names	

^{*}See next page for all information included on Voter Master File.

MULTIPURPOSE VOTER FILE

December 200 Delimited	MULTIPURPOSE VOTER		
Record Length 626 Delimited Field Name/Description	: Max Size	Start	End
VOTER I.D.	9	0	9
STATUS	1	9	10
REASON	12	10	22
AFFIDAVIT	12	22	34
LAST VOTED	1	34	35
PREFIX	5	35	40
VOTERS NAME; LAST	32	40	72
FIRST	16	72	88
MIDDLE	16	88	104
SUFFIX HOUSE NUMBER	5	104	109
HOUSE FRACTION	6 3	109 115	115 118
PRE DIR	5	118	123
STREET	24	123	147
TYPE	5	147	152
POST DIR	5	152	157
APT DESIGNATOR	4	157	161
APT NUMBER	12	161	173
VOTERS CITY	25	173	198
VOTERS STATE	2	198	200
VOTERS ZIP	10	200	210
PRECINCT	9	210	219
PORTION	3	219	222
CONSOLIDATION	9	222	231
SPLIT RANGE	32	231	263
PARTY	5	263	268
REG DATE (MM/DD/YYYY) IMAGE ID	10 9	268	278
PHONE 1	16	278 287	287 303
PHONE 2	16	303	319
MILITARY (Y, N, BLANK)	1	319	320
GENDER (M/F)	1	320	321
PERMANENT AV (Y/N)	1	321	322
NVRA SOURCE (Type of Reg)	5	322	327
BIRTH PLACE	5	327	332
BIRTH DATE (MM/DD/YYYY)	10	332	342
MAIL IN CARE OF	40	342	382
MAIL STREET	40	382	422
MAIL CITY	40	422	462
MAIL STATE	2	462	464
MAIL COUNTRY	10	464	474
MAIL COUNTRY LAST TRANSACTION DATE	16 10	474 490	490 500
LANGUAGE (WHEN ALLOWED)	5	500	505
DMV NUMBER (N/A)	16	505	521
EMAIL ADDRESS	64	521	585
ORIGINAL REG. DATE	10	585	595
PAV CATEGORY	5	595	600
CONFIDENTIAL FLAG	1	600	601
ID REQUIRED	1	601	602
CITIZEN	1	602	603
UNDERAGE	1	603	604
VOTER HISTORY	20	604	624
CR/LF	2	624	626

PRECINCT MAP PRICE LIST (Full sized maps - 24" x 36")

PRECINCT	No. of Map Sheets	COST
ALLIANCE	1	6.00
ALMOND	7	42.00
ARROYO GRANDE	3	18.00
ATASCADERO	14	84.00
BAY-OSOS	4	24.00
BRANCH	7	42.00
CAMBRIA	4	24.00
CAYUCOS	2	12.00
GENESEO	3	18.00
GROVER BEACH	1	6.00
HALCYON	2	12.00
LOS BERROS	6	36.00
LYNCH	3	18.00
MORRO BAY	4	24.00
NIPOMO	6	36.00
OCEANO	2	12.00
OSO FLACO	1	6.00
PASO ROBLES	8	48.00
PISMO BEACH	2	12.00
SAN LUIS OBISPO	7	42.00
SAN MIGUEL	2	12.00
SANTA MARGARITA	2	12.00
SAN SIMEON	1	6.00
TEMPLETON/JOSEPHINE	4	24.00
TOTAL NUMBER OF SHEETS	96	\$576.00
COUNTY-WIDE MAP(36" x 60")	1	\$10.00